

**Iowa Department of Natural Resources
Voluntary Operating Permit**

NAME OF PERMITTED FACILITY: Durant Municipal Electric

**FACILITY LOCATION: 601 4TH STREET
 DURANT, IA 52747**

AIR QUALITY OPERATING PERMIT NUMBER: 98-VOP-011

Expiration Date: October 6, 2003

EIQ Number: 92-1493

Facility File Number: 16-02-005

RESPONSIBLE OFFICIAL

**Name: Edwin Huesman
Title: Chair of the Board of Trustees
Mailing Address: 601 4th Street, Durant IA 52747
Phone #: (319) 785-6213**

PERMIT CONTACT PERSON FOR THE FACILITY

**Name: Greg Christensen
Title: Superintendent
Mailing Address: P.O. Box 138, Durant IA 52747
Phone #: (319) 785-6213**

This permit is issued in accordance with 567 Iowa Administrative Code Chapter 22, and is issued subject to the terms and conditions contained in this permit.

For the Director of the Department of Natural Resources

Christine Spackman, Supervisor, Air Quality Operating Permits Section

Date

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Abbreviations

EP	emission point
EU.....	emission unit
F.....	fugitive emission source
acfm.....	actual cubic feet per minute
CFR	Code of Federal Regulations
° F	degrees Fahrenheit
EIQ	emissions inventory questionnaire
gr/dscf.....	grains per dry standard cubic foot
IAC	Iowa Administrative Code
IDNR	Iowa Department of Natural Resources
MVAC	motor vehicle air conditioner
NSPS	new source performance standards
lb/hr	pounds per hour
lb/MMBtu.....	pounds per million British thermal units
USEPA	United States Environmental Protection Agency
MWe.....	Megawatt electrical
tpy.....	tons per year
MMBtu/hr.....	million British thermal units per hour
kW	kilowatts
hp.....	horsepower

Pollutants

PM ₁₀	particulate matter 10 microns or less
PM	particulate matter
SO ₂	sulfur dioxide
NO _x	nitrogen oxides
VOC	volatile organic compounds
CO	carbon monoxide
HAP	hazardous air pollutants

I. Facility Description and Equipment List

Facility Name Durant Municipal Electric
Permit Number: 98-VOP-011

Facility Description: Power Generation Plant

Equipment List

Emission Point Number	Associated Equipment			
	Emission Unit(s)		Control Equipment	
	ID Number(s)	Description	ID Number(s)	Description
3	3	820 hp Diesel Engine		no control equipment
4	4	820 hp Diesel Engine		no control equipment
6	6	2880 hp Dual fuel (diesel and natural gas)/Diesel Fuel Engine		no control equipment
8	8	Warehouse Furnace (Natural Gas; 88,000 Btu/hr)		no control equipment
9	9	2593 hp Diesel Engine		no control equipment
11	11	100 gal Diesel Storage Tank		no control equipment
12	12	100 gal Diesel Storage Tank		no control equipment
14	14	250 gal Diesel Storage Tank		no control equipment
15	15	10,000 gal Diesel Storage Tank		no control equipment

II. Plant-Wide Conditions

Facility Name: Durant Municipal Electric

Permit Number: 98-VOP-011

Permit conditions are established in accord with 567 Iowa Administrative Code rule 22.206

Permit Duration

The term of this permit is: Five (5) years
Commencing on: October 7, 1998
Ending on: October 6, 2003

Permits may be suspended, terminated, or revoked as specified in 567 Iowa Administrative Code Rules 22.208.

Plant-Wide Emission Limits

The atmospheric emissions from the plant as a whole shall not exceed the following:

Pollutant: NO_x
Emission Rate (tons/12-month period, rolled monthly): 99.0
Authority for Requirement: 567 IAC 22.206

Pollutant: SO₂
Emission Rate (tons/12-month period, rolled monthly): 99.0
Authority for Requirement: 567 IAC 22.206

Pollutant: CO
Emission Rate (tons/12-month period, rolled monthly): 99.0
Authority for Requirement: 567 IAC 22.206

Pollutant: PM₁₀
Emission Rate (tons/12-month period, rolled monthly): 99.0
Authority for Requirement: 567 IAC 22.206

Operational Limits & Requirements

Durant Municipal Electric Plant shall demonstrate compliance with the plant-wide NO_x, SO₂, CO and PM₁₀ emission limits with maximum annual operation limits on EU's 3, 4, 6, and 9. This permit limits EU's 3 and 4 each to a maximum of 500 hours/12-calendar month period rolled monthly; EU 6 to a maximum of 500 hours/12- calendar month period rolled monthly operating with dual fuel (natural gas and diesel) and a maximum of 500 hours of operation using diesel fuel

as the only fuel; and, EU 9 to a maximum of 183,000 gallons of fuel /12-calendar month period rolled monthly. Section III of this permit includes this operating hour limitation and the monitoring, reporting, and recordkeeping requirements associated with these limitations.

Monitoring, Reporting and Recordkeeping Requirements

The permittee shall maintain the following compliance monitoring records:

- a. the date, place, and time of sampling or measurements;
- b. the date the analyses were performed;
- c. the company or entity that performed the analyses;
- d. the analytical techniques or methods used;
- e. the results of such analyses;
- f. the operating conditions as existing at the time of sampling or measurement;
and,
- g. the records of quality assurance for continuous compliance monitoring systems including but not limited to quality control activities, audits and calibration drifts.

Unless otherwise specified, the permittee shall retain records of all required compliance data and support information required under this permit for a period of at least 5 years from the date of compliance monitoring sample, measurement report or application. Support information includes all calibration and maintenance records and all original strip chart recordings for continuous compliance monitoring, and copies of all reports required by the permit.

Authority for Requirement - 567--IAC 22.206(1)

Non-Applicable Requirements

With the exception of EU 9, the fossil-fuel fired combustion devices at the facility are not affected units subject to the requirements of the Acid Rain program promulgated under 40 CFR 72 through 76. This determination was made based on the information submitted by the applicant showing that all of the units commenced commercial operation prior to November 15, 1990 and did not, as of November 15, 1990, and do not currently, serve a generator with a nameplate capacity of greater than 25 MWe.

Authority for requirement: 40 CFR 72.6(b)(2)

Unless specified otherwise in the Emission Point Specific Conditions, the following limitations and supporting regulations apply to all emission points at this plant:

Opacity (Visible Emissions): 40% opacity

Authority for Requirement: 567--IAC 23.3(2)"d"

SO₂: 500 parts per million

Authority for Requirement: 567--IAC 23.3(3)"e"

Particulate Matter: Shall not exceed the amount determined from Table I (process weight rate) of Chapter 23 of the rules. If the director determines that a process complying with the emission rates specified in Table I is causing or will cause air pollution in a specific area of the state, an emission standard of 0.1 grain per standard cubic foot of exhaust gas may be imposed.

Authority for Requirement: 567--IAC 23.3(2)"a"

Fugitive Dust: Attainment and Unclassified Areas - No person shall allow, cause or permit any materials to be handled, transported or stored; or a building, its appurtenances or a construction haul road to be used, constructed, altered repaired or demolished, with the exception of farming operations or dust generated by ordinary travel on unpaved public roads, without taking reasonable precautions to prevent particulate matter in quantities sufficient to create a nuisance, as defined in Iowa Code section 657.1, from becoming airborne. All persons, with the above exceptions, shall take reasonable precautions to prevent the discharge of visible emissions of fugitive dusts beyond the lot line of the property on which the emissions originate.

Authority for Requirement: 567--IAC 23.3(2)"c"

III. Emission Point-Specific Conditions

Facility Name: Durant Municipal Electric

Permit Number: 98-VOP-011

Summary of Emission Point-Specific Conditions

Emission Point I.D. Number	Emission Unit I.D. Number(s)	Emission Point-Specific Conditions
3	3	Refer to Subsection A
4	4	Refer to Subsection A
6	6	Refer to Subsection B
8	8	None
9	9	Refer to Subsection C and Appendix A
11	11	None
12	12	None
14	14	None
15	15	None

A. Emission Point-Specific Conditions for EP-3, EP-4

Emission Limits (lb/hr, gr/dscf, lb/MMBtu, % opacity, etc.)

The owner/operator of this equipment shall comply with the emission limits and requirements listed below.

1. Particulate Matter: 0.8 lb/MMBtu. Authority for Requirement: 567--IAC 23.3(2)b.
2. Sulfur Dioxide: 2.5 lb/MMBtu. Authority for Requirement: 567--IAC 23.3(3)b.
3. Opacity: 40 percent. Authority for Requirement: 567--IAC 23.3(2)d.

Operational Limits & Requirements

The owner/operator of this equipment shall comply with the operational limits and requirements listed below.

4. Process throughput: The fuel burned by the diesel engines is limited to diesel fuel.
5. Hours of operation: Operation of each unit shall not exceed 500 hours per 12-month period, rolled monthly.

Authority for Requirements: 567--IAC 22.206.

Stack Testing and Monitoring Requirements

Stack testing and monitoring shall not be required at this time.

Recordkeeping and Reporting Requirements

The owner/operator of this equipment shall comply with the recordkeeping and reporting requirements listed below.

6. Recordkeeping Requirement: Records shall be maintained of the type of fuel burned in each diesel engine. *Authority for Requirement - 567--IAC 22.206*
7. Recordkeeping Requirement: Records shall be maintained and updated monthly to show the annual hours of operation for each diesel engine. During the first 12 months of operation following issuance of this permit, the cumulative hours of operation shall be maintained. After the first 12-months of operation following permit issuance, the cumulative hours of operation shall be determined on a 12-month basis, rolled monthly. Operation includes anytime the emission units are operated for any reason. Records of the hours of operation for each consecutive 12-calendar month period shall be updated monthly to reflect the most recent consecutive 12-calendar month period. Updates must be complete no later than 30 days following the end of the period to which the records relate. *Authority for Requirement - 567--IAC 22.206*

B. Emission Point-Specific Conditions for EP-6

Emission Limits (lb/hr, gr/dscf, lb/MMBtu, % opacity, etc.)

The owner/operator of this equipment shall comply with the emission limits and requirements listed below.

1. Particulate Matter: 0.8 lb/MMBtu. *Authority for Requirement: 567--IAC 23.3(2)b.*
2. Sulfur Dioxide: 2.5 lb/MMBtu. *Authority for Requirement: 567--IAC 23.3(3)b.*
3. Opacity: 40 percent. *Authority for Requirement: 567--IAC 23.3(2)d.*

Operational Limits & Requirements

The owner/operator of this equipment shall comply with the operational limits and requirements listed below.

4. Process throughput: This engine may combust only natural gas and/or diesel fuel.
5. Hours of operation: Operation of this unit in dual firing mode (natural gas and diesel fuel fired simultaneously) shall not exceed 500 hours per 12-month period, rolled monthly.
6. Hours of operation: Operation of this unit on diesel fuel only shall not exceed 500 hours per 12-month period, rolled monthly.

Authority for Requirements: 567--IAC 22.206.

Stack Testing and Monitoring Requirements

Stack testing and monitoring shall not be required at this time.

Recordkeeping and Reporting Requirements

The owner/operator of this equipment shall comply with the recordkeeping and reporting requirements listed below.

7. Recordkeeping Requirement: Records shall be maintained of the type of fuel(s) burned in the engine. *Authority for Requirement - 567--IAC 22.206*
8. Recordkeeping Requirement: Records shall be maintained and updated monthly to show the annual hours of operation of this unit in the dual fuel (diesel and natural gas) firing mode and the hours of operation on diesel fuel only. During the first 12 months of operation following issuance of this permit, the cumulative hours of operation for each firing scenario (i.e., dual fuel and diesel firing) shall be maintained. After the first 12-months of operation following permit issuance, the cumulative hours of operation for each firing scenario shall be determined on a 12-month basis, rolled monthly. Operation includes anytime the emission units are operated for any reason. Records of the hours of operation for each consecutive 12-calendar month period shall be updated monthly to reflect the most recent consecutive 12-calendar month period. Updates must be complete no later than 30 days following the end of the period to which the records relate. *Authority for Requirement - 567--IAC 22.206*

C. Emission Point-Specific Conditions for EP-9

Emission Limits (lb/hr, gr/dscf, lb/MMBtu, % opacity, etc.)

The owner/operator of this equipment shall comply with the emission limits and requirements listed below.

1. Particulate Matter: 0.8 lb/MMBtu. *Authority for Requirement: 567--IAC 23.3(2)b*
2. PM₁₀: 2.5 lb/hour. *Authority for Requirement: IDNR Permit 97-A-479-S2*
3. Sulfur Dioxide: 2.5 lb/MMBtu. *Authority for Requirement: 567--IAC 23.3(3)b*
4. Sulfur Dioxide: 9.0 lb/hour. *Authority for Requirement: IDNR Permit 97-A-479-S2*
5. Nitrogen Oxides: 55.5 lb/hour. *Authority for Requirement: IDNR Permit 97-A-479-S2*
6. Nitrogen Oxides: 39 ton/year. *Authority for Requirement: IDNR Permit 97-A-479-S2*
7. Opacity: 20 percent. *Authority for Requirement: IDNR Permit 97-A-479-S2*

Operational Limits & Requirements

The owner/operator of this equipment shall comply with the operational limits and requirements listed below.

8. Process throughput: This engine may combust only fuel oil #2. *Authority for Requirement: IDNR Permit 97-A-479-S2*
9. Process throughput: All fuel combusted by this unit must have a sulfur content of no greater than 0.05% by weight. *Authority for Requirement: 567 IAC 22.123, 40 CFR 72.7, and attached Appendix A - New Unit Exemption.*
10. Process throughput: The source emission characteristics for this emission point shall be as follows. *Authority for Requirement: IDNR Permit 97-A-479-S2*
 - a. Stack height = 25 feet
 - b. Size = 1.3 feet
 - c. Temperature = 955 °F
 - d. Flowrate = 5800 scfm
11. Hours of operation: This unit shall not burn more than 183,000 gallons of fuel per 12-month period, rolled monthly. *Authority for Requirement: IDNR Permit 97-A-479-S2*

Stack Testing and Monitoring Requirements

Stack testing and monitoring shall not be required at this time.

Recordkeeping and Reporting Requirements

The owner/operator of this equipment shall comply with the recordkeeping and reporting requirements listed below.

12. Recordkeeping Requirement: Records shall be maintained which show the date and

the type of fuel(s) burned in the engine. *Authority for Requirement: IDNR Permit 97-A-479-S2*

13. Recordkeeping Requirement: The owner(s) and operator(s) shall determine the sulfur content by weight of its fuel according to the procedures outlined at 40 CFR 72.7(d)(2) and 567 IAC 22.123(4)(a). *Authority for Requirement - 40 CFR 72.7(d)(2), 567 IAC 22.123(4)(a), and attached Appendix A - New Unit Exemption.*
14. Recordkeeping Requirement: The owner(s) and operator(s) shall retain at the facility the records of the results of the tests performed under 13. *Recordkeeping Requirement* (above) and a copy of the purchase agreements for the fuel, stating the sulfur content of the fuel. The date each record is created shall be recorded. Such records and documents shall be retained for 5 years from the date they are created. *Authority for Requirement - 40 CFR 72.7(d)(3), 567 IAC 22.123(4)(b) and IDNR Permit 97-A-479-S2*
15. Recordkeeping Requirement: Records shall be maintained and updated monthly to show the fuel usage (in gallons) by this unit during each 12-month period. During the first 12 months of operation following issuance of this permit, the cumulative fuel usage shall be maintained. After the first 12-months of operation following permit issuance, the cumulative fuel usage shall be determined on a 12-month basis, rolled monthly. Operation includes anytime the emission units are operated for any reason. Records of the fuel usage during each consecutive 12-calendar month period shall be updated monthly to reflect the most recent consecutive 12-calendar month period. Updates must be complete no later than 30 days following the end of the period to which the records relate. *Authority for Requirement - 567--IAC 22.206*
16. Reporting Requirement: The owner shall notify the IDNR in writing of transfer of equipment ownership within 30 days of the occurrence. *Authority for Requirement: IDNR Permit 97-A-479-S2*
17. Reporting Requirement: The owner shall furnish the IDNR with a written report if this unit is operated outside of any of the above Emission Limits or Operational Limits and Requirements (contained above) for this emission point. This report must be submitted according to the time limits set forth in 567 IAC 24.1. *Authority for Requirement: IDNR Permit 97-A-479-S2*

IV. General Conditions

This permit is issued under the authority of the Iowa Code subsection 455B.133(8) and in accordance with 567 Iowa Administrative Code (IAC) chapter 22.

A. Eligibility

1. Sources covered by this permit must meet the eligibility requirements for a voluntary operating permit as described in 567 IAC 22.201.

2. If the issuance of a construction permit acts to make the source no longer eligible for a voluntary operating permit, then the source shall, in accordance with subparagraph 22.105(1)"a"(6) not operate without a Title V operating permit, and the source shall be subject to enforcement action for operating without a Title V operating permit. 567 IAC 22.207(1)

B. Duty To Supplement or Correct Application

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information. 567 IAC 22.203(1)"c"

C. Access to the Permit

This voluntary operating permit is to be kept at the location of the source. 567 IAC 22.206(1)"h"

D. Requirement to Apply for a Title V Permit

The permittee may be required to apply for and obtain a Title V operating permit prior to the expiration of this voluntary operating permit. The circumstances under which this may occur are:-the source becomes subject to a newly promulgated standard or other requirement pursuant to IAC 567--22.101 which requires the permittee to apply for a Title V permit; issuance of construction permits which make the source no longer eligible for a voluntary operating permit pursuant to IAC 567--22.207; or the deferment period for non-major sources pursuant to IAC 22.101(2) ends.

Applications for a Title V permit shall be submitted within 12 months of the date a Title V permit is required. 567 IAC 22.101(2), 567 IAC 22.201(2)"b"

E. Permit Renewal

1. Sources covered by a voluntary operating permit shall reapply for a voluntary operating permit at least 6 months but not more than 12 months prior to the date of expiration of the permit. 576 IAC 22.203(1)"a"(2) Requirements pertaining to making a voluntary operating permit application are contained in 576 IAC 22.203

2. Each application for renewal of a voluntary operating permit shall include a list of construction permits issued during the term of the voluntary operating permit and shall state the effect of each of these construction permits on the conditions of the voluntary operating permit. Applications for renewal shall be accompanied by copies of all construction permits issued during the term of the voluntary operating permit. 567 IAC 22.207(2)

3. To be considered as complete, an application must provide all information required pursuant to subrule 22.203(2). 567 IAC 22.203(1)"b"

F. Duty to Comply

1. The permittee must comply with all conditions of the voluntary operating permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination and revocation; and, for an immediate requirement to obtain a Title V operating permit. 567 IAC 22.206(1)"i"

2. All terms and conditions in the voluntary operating permit, including provisions to limit a source's potential to emit, are enforceable by the

administrator and citizens under the Act. 567 IAC 22.206(2)"b"(1)

3. Any terms and conditions included in the permit that are not required under the Act or under any of its applicable requirements shall be designated in the permit as not being federally enforceable. 567 IAC 22.206(2)"b"(2)

4. It shall not be a defense for a permittee, in an enforcement action, that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit. 567 IAC 22.206(1)"j"

G. Certification Requirement for Related Documents

Any application, report, compliance certification or other document submitted pursuant to this permit shall contain certification by a responsible official of truth, accuracy, and completeness. All certifications shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. 567 IAC 22.203(1)"d"

H. Voluntary Operating Permit Fee

Each source in compliance with a current voluntary operating permit shall be exempt from Title V operating permit fees. 567 IAC 22.204

I. Inspection of Premises, Records, Equipment, Methods and Discharges

Upon presentation of proper credentials and any other documents as may be required by law, the permittee shall allow the director or the director's authorized representative to:

- enter upon the permittee's premises where an emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or

operations regulated or required under the permit; and,

- sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or other applicable requirements. 455B.103(4)

J. Duty to Provide Information

The permittee shall furnish to the director, within a reasonable time, any information that the director may request in writing to determine whether cause exists for revoking or terminating the permit or to determine compliance with the permit. Upon request, the permittee also shall furnish to the director copies of records required to be kept by the permit. 567 IAC 22.206(1)"m"

K. Hazardous Release

The permittee must report any situation involving the actual, imminent, or probable release of a hazardous substance into the atmosphere which, because of the quantity strength and toxicity of the substance, creates an immediate or potential danger to public health, safety or to the environment. A verbal report shall be made to the IDNR at (515) 281-8964 and to the local police department or the office of the sheriff of the affected county as soon as possible but not later than six hours after the discovery or onset of the condition. This verbal report must be followed up with a written report as indicated in 567 IAC 131.2(2). 567 IAC Chapter 131-State Only

L. Excess Emissions and Excess Emissions Reporting Requirements

1. Excess Emissions. Excess emission during a period of startup, shutdown, or cleaning of control equipment is not a violation of the emission standard if the startup, shutdown or cleaning is accomplished expeditiously and in a manner consistent with good practice for minimizing emissions. Cleaning of control equipment which does not require the shutdown of the process equipment shall be limited to one six-minute period per one-hour period. An incident of excess emission (other than an incident during startup, shutdown or cleaning of

control equipment) is a violation. If the owner or operator of a source maintains that the incident of excess emission was due to a malfunction, the owner or operator must show that the conditions which caused the incident of excess emission were not preventable by reasonable maintenance and control measures. Determination of any subsequent enforcement action will be made following review of this report. If excess emissions are occurring, either the control equipment causing the excess emission shall be repaired in an expeditious manner or the process generating the emissions shall be shutdown within a reasonable period of time. An expeditious manner is the time necessary to determine the cause of the excess emissions and to correct it within a reasonable period of time. A reasonable period of time is eight hours plus the period of time required to shut down the process without damaging the process equipment or control equipment. In the case of an electric utility, a reasonable period of time is eight hours plus the period of time until comparable generating capacity is available to meet consumer demand with the affected unit out of service, unless, the director shall, upon investigation, reasonably determine that continued operation constitutes an unjustifiable environmental hazard and issue an order that such operation is not in the public interest and require a process shutdown to commence immediately.

2. Excess Emissions Reporting.

a. *Oral Reporting of Excess Emissions.* An incident of excess emission (other than an incident of excess emission during a period of startup, shutdown, or cleaning) shall be reported to the appropriate field office of the IDNR within eight hours of, or at the start of the first working day following the onset of the incident. The reporting exemption for an incident of excess emission during startup, shutdown or cleaning does not relieve the owner or operator of a source with continuous monitoring equipment of the obligation of submitting reports required in 567-subrule 25.1(6). An oral report of excess emission is not required for a source with operational continuous monitoring equipment (as specified in 567-subrule 25.1(1)) if the incident of excess emission continues for

less than 30 minutes and does not exceed the applicable visible emission standard by more than 10 percent opacity. The oral report may be made in person or by telephone and shall include as a minimum the following:

- the identity of the equipment or source operation from which the excess emission originated and the associated stack or emission point;
- the estimated quantity of the excess emission;
- the time and expected duration of the excess emission;
- the cause of the excess emission;
- the steps being taken to remedy the excess emission; and,
- the steps being taken to limit the excess emission in the interim period.

b. *Written Reporting of Excess Emissions.* A written report of an incident of excess emission shall be submitted as a follow-up to all required oral reports to the IDNR within seven days of the onset of the upset condition, and shall include as a minimum the following:

- the identity of the equipment or source operation point from which the excess emission originated and the associated stack or emission point;
- the estimated quantity of the excess emission;
- the time and duration of the excess emission;
- the cause of the excess emission;
- the steps that were taken to remedy and to prevent the recurrence of the incident of excess emission;
- the steps that were taken to limit the excess emission; and,
- if the owner claims that the excess emission was due to malfunction, documentation to support this claim. 567 IAC 24.1(1)-567 IAC 24.1(4)

3. Emergency Defense for Excess Emissions. For the purposes of a voluntary operating permit, an “emergency” means any situation arising from sudden and reasonable unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore

normal operation, and that causes the source to exceed a technology based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventive maintenance, careless or improper operation, or operator error. 567 IAC 22.206(2)"f"

M. Notification Requirements for Sources That Become Subject to NSPS and HAP Regulations

During the term of this permit, the permittee must notify the IDNR of any source that becomes subject to a standard or other requirement under 567-subrule 23.1(2) (standards of performance of new stationary sources) or section 111 of the Act; or 567-subrule 23.1(3) (emissions standards for hazardous air pollutants) or section 112 of the Act. This notification shall be submitted in writing to the IDNR 30 days before the source becomes subject to the fore-mentioned standard or other requirement. 40 CFR part 63.9 as adopted in 567 IAC 23.1(4); 40 CFR part 60.7 as adopted in 567 IAC 23.1(2)

N. Duty to Obtain Construction Permits

Unless exempted under 567 IAC 22.1(2), the permittee must not construct, install, reconstruct, or alter any equipment, control equipment or anaerobic lagoon without first obtaining a construction permit, conditional permit, or permit pursuant to 567 IAC 22.8 or permits required pursuant to 567 IAC 22.4 and 567 IAC 22.5.

O. Suspension, Termination, and Revocation of Voluntary Operating Permits

1. This permit may be modified, revoked, reopened, reissued, or terminated for cause. 567 IAC 22.208(1)

2. If the voluntary permit is suspended, terminated or revoked by the IDNR, the notice of such action shall be served on the applicant or permittee by certified mail, return receipt requested. The notice shall include a statement

detailing the grounds for the action sought and the proceeding shall in all other respects comply with the requirements of rule 561-7.16(17A.455A). IAC 567-22.208(2)

P. Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege. 567 IAC 22.206(1)"l"

Q. Fugitive Emissions

Fugitive Emissions from a source shall be included in the permit in the same manner as stack emissions, regardless of whether the source category in question is included in the list of sources contained in the definition of major source. 567 IAC 22.206(2)"a"

R. Asbestos

The permittee shall comply with 567 IAC 23.1(3)"a", and 567 IAC 23.2(3)"g" when conducting any renovation or demolition activities at the facility. IAC 23.1(3)"a", and 567 IAC 23.2

S. Open Burning

The permittee is prohibited from conducting open burning, except as may be allowed by 567 IAC 23.2. 567 IAC 23.2 except 23.2(3)"h"; 567 IAC 23.2(3)"h" - State Only

T. Stratospheric Ozone and Climate Protection (Title VI) Requirements

1. The permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:

- a. All containers in which a class I or class II substance is stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to § 82.106.
- b. The placement of the required warning statement must comply with the requirements pursuant to § 82.108.
- c. The form of the label bearing the required warning statement must comply with the requirements pursuant to § 82.110.
- d. No person may modify, remove, or interfere

with the required warning statement except as described in § 82.112.

2. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for MVACs in Subpart B:

a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to § 82.156.

b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to § 82.158.

c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to § 82.161.

d. Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with reporting and recordkeeping requirements pursuant to § 82.166. ("MVAC-like appliance" as defined at § 82.152)

e. Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to § 82.156.

f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to § 82.166.

3. If the permittee manufactures, transforms, imports, or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR part 82, Subpart A, Production and Consumption Controls.

4. If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee

is subject to all the applicable requirements as specified in 40 CFR part 82, Subpart B, Servicing of Motor Vehicle Air Conditioners. The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or system used on passenger buses using HCFC-22 refrigerant,

5. The permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR part 82, Subpart G, Significant New Alternatives Policy Program. *40 CFR part 82*

U. Disclaimer

No review has been undertaken on the engineering aspects of the equipment or control equipment other than the potential of that equipment for reducing air contaminant emissions. *567 IAC 22.3(3)"c"*

V. Prevention of Accidental Release: Risk Management Plan

If the permittee is required to develop and register a risk management plan pursuant to section 112(r) of the Act, the plan shall be filed with all appropriate authorities by the deadline specified by EPA. *40 CFR 68*

W. Facility Operation

All equipment, facilities and systems covered under the terms and conditions of this Voluntary Operating Permit shall at all times be maintained in good working order and be operated in the manner consistent with the information provided in the application, manufacturer's recommended procedures, associated plans, and specifications. *567 IAC 24.2(1)*

X. Contact List

Reports of notifications should be forwarded to the following DNR field offices. Current addresses and phone numbers are:

Field Office 1

817 W. Fayette St.
Manchester, IA 52057
(319) 927-2640

Field Office 2

P.O. Box 1443
2300-15th St., SW
Mason City, IA 50401
(515) 424-4073

Field Office 3

1900 N. Grand Ave.
Spencer, IA 51301
(712) 262-4177

Field Office 4

706 Sunnyside
Atlantic, IA 50022
(712) 243-1934

Field Office 5

607 East 2nd St.
Des Moines, IA 50309
(515) 281-9069

Field Office 6

1004 W. Madison
Washington, IA 52353
(515) 653-2135

Y. Severability

The provisions of this permit are severable and if any provision or application of any provision is found to be invalid by this department or a court of law, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected by such finding. 567 IAC 22.206(1)"a"

Appendix A - New Unit Exemption